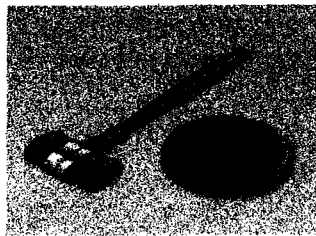


**SERVED APRIL 22, 2009**

DEPT. OF TRANSPORTATION  
DOCKETS

APR 23 P 1:23



U.S. DEPARTMENT OF TRANSPORTATION  
OFFICE OF HEARINGS  
WASHINGTON, DC

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IN THE MATTER OF

**BRIAN FRONIMOS**

FAA DOCKET No. CP09EA0006  
(Civil Penalty Action)

DMS No. FAA-2009-0031

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**ORDER OF DISMISSAL**

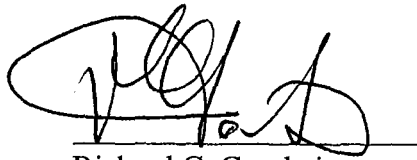
On January 14, 2009, the Federal Aviation Administration (hereinafter "Complainant") filed a Complaint. On December 29, 2008, Brian Fronimos (hereinafter "Respondent") had requested a hearing. On March 16, 2009, Complainant filed a Notice of Withdrawal of its Complaint.

14 C.F.R. § 13.215 states: "At any time before or during a hearing, an agency attorney may withdraw a complaint or party may withdraw a request for a hearing without the consent of the administrative law judge. If an agency attorney withdraws the complaint or a party withdraws the request for a hearing and the answer, the administrative law judge shall dismiss the proceedings under this subpart with prejudice."

WHEREFORE, the within filed Notice of Withdrawal of Complaint having been read and considered, it is ORDERED that

1. Complainant's Notice of Withdrawal of Complaint is hereby GRANTED; and
2. This proceeding be and is hereby dismissed with prejudice.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Goodwin', is written over a horizontal line.

Richard C. Goodwin  
Administrative Law Judge

Attachments – Service List

**SERVICE LIST**

**ORIGINAL & ONE COPY**

Hearing Docket  
Federal Aviation Administration  
800 Independence Avenue, S.W.  
Washington, DC 20591  
Att: Hearing Docket Clerk, AGC-430  
Wilbur Wright Building – Room 2014<sup>1</sup>

**ONE COPY**

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The Honorable Richard C. Goodwin  
Office of Hearings, M-20  
U.S. Department of Transportation  
1200 New Jersey Avenue, S.E.  
East Building Ground Floor, Room E12-320  
Washington, D.C. 20590  
TEL: (202) 366-2139 Attorney-Advisor  
(202) 366-5121 Legal Assistant  
FAX: (202) 366-7536

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<sup>1</sup> Service was by U.S. Mail. For service in person or by expedited courier, use the following address:  
Hearing Docket, Federal Aviation Administration, 600 Independence Avenue, S.W., Wilbur Wright Building – Room  
2014, Washington, DC 20591, Att: Hearing Docket Clerk, AGC-430.